

Year Rule, to a large extent, offsets gains from the volume cap increase." Between 1998 and 2002, this rule will result in the loss of over \$8.5 billion in mortgage authority, denying over 100,000 qualified lower income homebuyers affordable MRB-financed mortgages. Each year, the Ten-Year Rule will keep tens of thousands of additional qualified lower income homebuyers from getting an affordable MRB-financed mortgage, including many in my home State of Utah.

Second, the bill would replace the current-law unworkable limit on the price of the homes these MRB mortgages can finance with a simple limit that works. Let me explain. Current law limits the price of homes purchased with MRB-financed mortgages to 90 percent of the average area home price. States have the option of determining their own purchase price limits or of relying on Treasury-published safe harbor limits. Most states rely on the Treasury limits because it is costly, burdensome, and often impossible to collect accurate and comprehensive sales price data.

The problem is that, like many states, the Treasury Department does not have access to reliable and comprehensive sales price data. This has especially been a problem for states, such as Utah, with many rural areas. In fact, Treasury last issued safe harbor limits in 1994, based on 1993 data. Home prices have risen approximately 30 percent in the past eight years, and in some areas of the country by a much higher percentage. This means that the MRB program simply cannot work in many parts of many states because qualified buyers cannot find homes priced below the outdated limits. To have an outdated and unworkable requirement that holds back the families that this program is designed to help is poor public policy that cries out for remedy.

The bill we are introducing today would allow States to determine purchase price limits without reliance on nonexistent sales price data. It does this by limiting the purchase price to three and a half times the MRB qualifying income limit. In the 106th Congress, I joined my friend and colleague from Arkansas, Senator LINCOLN, in introducing this provision as a stand-alone bill.

Finally, the bill would make Housing Tax Credit apartment production more viable in many very low income, and especially rural, areas by allowing the use of the greater of area or statewide median incomes for determining qualifying income and rent levels. This is how income and rent levels are determined under the very successful multifamily bond program. Current law requires States to use area median income to determine eligible incomes of Housing Tax Credit tenants. In many very low income areas, median incomes

are simply too low to generate sufficient rents to make these housing projects feasible. Data from HUD show that current income limits inhibit Housing Tax Credit development in as many as 1,700 of the 2,364 non-metropolitan counties across the country.

The Housing Tax Credit and the MRB programs work and they are important to each State. The Congress recognized this last year by making the important adjustments in the operating levels of these programs to compensate for past inflation. More than 80 senators joined us in this effort by cosponsoring the legislation. This was a vital first step in improving the ability of these programs to meet the affordable housing needs of millions of Americans. Now, we must finish the job by correcting the problems in the programs that limit their effectiveness in delivering this affordable housing. For those of you that cosponsored these bills last year, and those of our colleagues who are new to the Senate, I am asking you to join this bipartisan effort of Senators from both rural and urban States to see that these important provisions are enacted this year.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 677

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# **SECTION 1. SHORT TITLE.**

This Act may be cited as the "Housing Bond and Credit Modernization and Fairness Act of 2001".

## **SEC. 2. REPEAL OF REQUIRED USE OF CERTAIN PRINCIPAL REPAYMENTS ON MORTGAGE SUBSIDY BOND FINANCINGS TO REDEEM BONDS.**

(a) IN GENERAL.—Subparagraph (A) of section 143(a)(2) of the Internal Revenue Code of 1986 (defining qualified mortgage issue) is amended by adding "and" at the end of clause (ii), by striking ", and" at the end of clause (iii) and inserting a period, and by striking clause (iv) and the last sentence.

(b) CONFORMING AMENDMENT.—Clause (i) of section 143(a)(2)(D) of such Code is amended by striking "(and clause (iv) of subparagraph (A))".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to repayments received after the date of the enactment of this Act.

## **SEC. 3. MODIFICATION OF PURCHASE PRICE LIMITATION UNDER MORTGAGE SUBSIDY BOND RULES BASED ON MEDIAN FAMILY INCOME.**

(a) IN GENERAL.—Paragraph (1) of section 143(e) of the Internal Revenue Code of 1986 (relating to purchase price requirement) is amended to read as follows:

"(1) IN GENERAL.—An issue meets the requirements of this subsection only if the acquisition cost of each residence the owner-financing of which is provided under the issue does not exceed the greater of—

"(A) 90 percent of the average area purchase price applicable to the residence, or

"(B) 3.5 times the applicable median family income (as defined in subsection (f))."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to financing provided, and mortgage credit certificates issued, after the date of the enactment of this Act.

## **SEC. 4. DETERMINATION OF AREA MEDIAN GROSS INCOME FOR LOW-INCOME HOUSING CREDIT PROJECTS.**

(a) IN GENERAL.—Paragraph (4) of section 42(g) of the Internal Revenue Code of 1986 (relating to certain rules made applicable) is amended by striking the period at the end and inserting "and the term 'area median gross income' means the amount equal to the greater of—

"(A) the area median gross income determined under section 142(d)(2)(B), or

"(B) the statewide median gross income for the State in which the project is located."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to—

(1) housing credit dollar amounts allocated after the date of the enactment of this Act, and

(2) buildings placed in service after such date to the extent paragraph (1) of section 42(h) of the Internal Revenue Code of 1986 does not apply to any building by reason of paragraph (4) thereof.

## **AMENDMENTS SUBMITTED AND PROPOSED**

SA 170. Mr. DOMENICI proposed an amendment to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

SA 171. Mr. DOMENICI (for Mr. McCAIN) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

## **TEXT OF AMENDMENTS**

SA 170. Mr. DOMENICI proposed an amendment to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

Strike all after the resolving clause and insert the following:

## **SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002.**

(a) DECLARATION.—Congress determines and declares that the concurrent resolution on the budget for fiscal year 2001 is revised and replaced and that this resolution is the concurrent resolution on the budget for fiscal year 2002 including the appropriate budgetary levels for fiscal years 2003 through 2011 as authorized by section 301 of the Congressional Budget Act of 1974 (2 U.S.C. 632).

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2002.

## **TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

Sec. 101. Recommended levels and amounts.  
Sec. 102. Major functional categories.

## TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

- Sec. 201. Restrictions on advance appropriations.
- Sec. 202. Mechanism for implementing increase of fiscal year 2002 discretionary spending limits.
- Sec. 203. Reserve fund for prescription drugs and medicare reform in the senate.
- Sec. 204. Application and effect of changes in allocations and aggregates.
- Sec. 205. Exercise of rulemaking powers.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

## SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 2001 through 2011:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2001: \$1,630,290,000,000.  
 Fiscal year 2002: \$1,674,228,000,000.  
 Fiscal year 2003: \$1,716,017,000,000.  
 Fiscal year 2004: \$1,765,435,000,000.  
 Fiscal year 2005: \$1,818,193,000,000.  
 Fiscal year 2006: \$1,870,639,000,000.  
 Fiscal year 2007: \$1,943,134,000,000.  
 Fiscal year 2008: \$2,034,496,000,000.  
 Fiscal year 2009: \$2,138,797,000,000.  
 Fiscal year 2010: \$2,246,021,000,000.  
 Fiscal year 2011: \$2,377,168,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2001: \$172,000,000.  
 Fiscal year 2002: \$29,260,000,000.  
 Fiscal year 2003: \$66,094,000,000.  
 Fiscal year 2004: \$98,900,000,000.  
 Fiscal year 2005: \$131,577,000,000.  
 Fiscal year 2006: \$168,944,000,000.  
 Fiscal year 2007: \$192,621,000,000.  
 Fiscal year 2008: \$208,314,000,000.  
 Fiscal year 2009: \$221,319,000,000.  
 Fiscal year 2010: \$243,281,000,000.  
 Fiscal year 2011: \$250,725,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2001: \$1,618,406,000,000.  
 Fiscal year 2002: \$1,524,818,000,000.  
 Fiscal year 2003: \$1,660,247,000,000.  
 Fiscal year 2004: \$1,715,969,000,000.  
 Fiscal year 2005: \$1,794,111,000,000.  
 Fiscal year 2006: \$1,842,068,000,000.  
 Fiscal year 2007: \$1,912,499,000,000.  
 Fiscal year 2008: \$1,993,029,000,000.  
 Fiscal year 2009: \$2,072,024,000,000.  
 Fiscal year 2010: \$2,156,650,000,000.  
 Fiscal year 2011: \$2,248,518,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2001: \$1,570,024,000,000.  
 Fiscal year 2002: \$1,468,430,000,000.  
 Fiscal year 2003: \$1,628,792,000,000.  
 Fiscal year 2004: \$1,684,613,000,000.  
 Fiscal year 2005: \$1,764,112,000,000.  
 Fiscal year 2006: \$1,807,539,000,000.  
 Fiscal year 2007: \$1,874,262,000,000.  
 Fiscal year 2008: \$1,957,154,000,000.  
 Fiscal year 2009: \$2,036,359,000,000.  
 Fiscal year 2010: \$2,121,936,000,000.  
 Fiscal year 2011: \$2,211,676,000,000.

(4) SURPLUSES.—For purposes of the enforcement of this resolution, the amounts of the surpluses are as follows:

Fiscal year 2001: \$60,266,000,000.  
 Fiscal year 2002: \$205,798,000,000.  
 Fiscal year 2003: \$87,225,000,000.

Fiscal year 2004: \$80,822,000,000.  
 Fiscal year 2005: \$54,081,000,000.  
 Fiscal year 2006: \$63,100,000,000.  
 Fiscal year 2007: \$68,872,000,000.  
 Fiscal year 2008: \$77,342,000,000.  
 Fiscal year 2009: \$102,438,000,000.  
 Fiscal year 2010: \$124,085,000,000.  
 Fiscal year 2011: \$165,492,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 2001: \$5,630,366,000,000.  
 Fiscal year 2002: \$5,529,082,000,000.  
 Fiscal year 2003: \$5,558,185,000,000.  
 Fiscal year 2004: \$5,594,293,000,000.  
 Fiscal year 2005: \$5,654,694,000,000.  
 Fiscal year 2006: \$5,707,561,000,000.  
 Fiscal year 2007: \$5,570,958,000,000.  
 Fiscal year 2008: \$5,784,424,000,000.  
 Fiscal year 2009: \$5,988,043,000,000.  
 Fiscal year 2010: \$6,343,298,000,000.  
 Fiscal year 2011: \$6,720,541,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of the debt held by the public are as follows:

Fiscal year 2001: \$3,212,878,000,000.  
 Fiscal year 2002: \$2,849,535,000,000.  
 Fiscal year 2003: \$2,594,022,000,000.  
 Fiscal year 2004: \$2,331,289,000,000.  
 Fiscal year 2005: \$2,072,931,000,000.  
 Fiscal year 2006: \$1,786,421,000,000.  
 Fiscal year 2007: \$1,473,645,000,000.  
 Fiscal year 2008: \$1,131,366,000,000.  
 Fiscal year 2009: \$939,000,000,000.  
 Fiscal year 2010: \$878,000,000,000.  
 Fiscal year 2011: \$818,000,000,000.

(7) SOCIAL SECURITY.—

(A) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: \$504,109,000,000.  
 Fiscal year 2002: \$532,308,000,000.  
 Fiscal year 2003: \$560,938,000,000.  
 Fiscal year 2004: \$588,674,000,000.  
 Fiscal year 2005: \$620,060,000,000.  
 Fiscal year 2006: \$649,221,000,000.  
 Fiscal year 2007: \$679,935,000,000.  
 Fiscal year 2008: \$712,454,000,000.  
 Fiscal year 2009: \$746,439,000,000.  
 Fiscal year 2010: \$782,029,000,000.  
 Fiscal year 2011: \$819,185,000,000.

(B) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2001: \$343,562,000,000.  
 Fiscal year 2002: \$356,786,000,000.  
 Fiscal year 2003: \$369,939,000,000.  
 Fiscal year 2004: \$383,133,000,000.  
 Fiscal year 2005: \$395,765,000,000.  
 Fiscal year 2006: \$408,189,000,000.  
 Fiscal year 2007: \$420,714,000,000.  
 Fiscal year 2008: \$433,784,000,000.  
 Fiscal year 2009: \$449,872,000,000.  
 Fiscal year 2010: \$467,368,000,000.  
 Fiscal year 2011: \$485,551,000,000.

(C) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2001:  
 (A) New budget authority, \$3,431,000,000.  
 (B) Outlays, \$3,371,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$3,501,000,000.

(B) Outlays, \$3,456,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$3,499,000,000.  
 (B) Outlays, \$3,478,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$3,599,000,000.  
 (B) Outlays, \$3,554,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$3,699,000,000.  
 (B) Outlays, \$3,647,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$3,808,000,000.  
 (B) Outlays, \$3,753,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$3,909,000,000.  
 (B) Outlays, \$3,854,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$4,011,000,000.  
 (B) Outlays, \$3,955,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$4,113,000,000.  
 (B) Outlays, \$4,057,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$4,178,000,000.  
 (B) Outlays, \$4,125,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$4,349,000,000.  
 (B) Outlays, \$4,285,000,000.

## SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 2002 through 2011 for each major functional category are:

(1) National Defense (050):

Fiscal year 2001:  
 (A) New budget authority, \$310,328,000,000.  
 (B) Outlays, \$300,591,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$324,660,000,000.  
 (B) Outlays, \$319,349,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$333,428,000,000.  
 (B) Outlays, \$325,703,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$342,728,000,000.  
 (B) Outlays, \$334,198,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$352,292,000,000.  
 (B) Outlays, \$347,283,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$362,163,000,000.  
 (B) Outlays, \$354,639,000,000.

Fiscal year 2007:  
 (A) New budget authority, \$372,279,000,000.  
 (B) Outlays, \$361,964,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$382,774,000,000.  
 (B) Outlays, \$375,662,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$393,559,000,000.  
 (B) Outlays, \$386,546,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$404,537,000,000.  
 (B) Outlays, \$397,628,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$416,308,000,000.  
 (B) Outlays, \$409,251,000,000.

(2) International Affairs (150):

Fiscal year 2001:  
 (A) New budget authority, \$22,424,000,000.  
 (B) Outlays, \$19,670,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$23,866,000,000.  
 (B) Outlays, \$19,560,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$23,855,000,000.  
 (B) Outlays, \$19,864,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$24,493,000,000.  
 (B) Outlays, \$20,419,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$25,367,000,000.

(B) Outlays, \$20,780,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$26,165,000,000.  
(B) Outlays, \$21,395,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$26,932,000,000.  
(B) Outlays, \$22,141,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$27,447,000,000.  
(B) Outlays, \$22,826,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$28,036,000,000.  
(B) Outlays, \$23,583,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$28,422,000,000.  
(B) Outlays, \$24,161,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$29,595,000,000.  
(B) Outlays, \$24,997,000,000.  
(3) General Science, Space, and Technology (250):  
Fiscal year 2001:  
(A) New budget authority, \$21,043,000,000.  
(B) Outlays, \$19,612,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$21,307,000,000.  
(B) Outlays, \$20,626,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$21,802,000,000.  
(B) Outlays, \$21,009,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$22,257,000,000.  
(B) Outlays, \$21,775,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$22,809,000,000.  
(B) Outlays, \$22,330,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$23,443,000,000.  
(B) Outlays, \$22,875,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$24,072,000,000.  
(B) Outlays, \$23,446,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$24,691,000,000.  
(B) Outlays, \$24,041,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$25,320,000,000.  
(B) Outlays, \$24,657,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$25,719,000,000.  
(B) Outlays, \$25,161,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$26,779,000,000.  
(B) Outlays, \$25,916,000,000.  
(4) Energy (270):  
Fiscal year 2001:  
(A) New budget authority, \$1,225,000,000.  
(B) Outlays, \$—115,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$871,000,000.  
(B) Outlays, \$—234,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$760,000,000.  
(B) Outlays, \$—531,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$912,000,000.  
(B) Outlays, \$—590,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$899,000,000.  
(B) Outlays, \$—496,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$1,023,000,000.  
(B) Outlays, \$—354,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$1,103,000,000.  
(B) Outlays, \$—248,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$2,196,000,000.  
(B) Outlays, \$385,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$2,290,000,000.  
(B) Outlays, \$784,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$2,267,000,000.

(B) Outlays, \$955,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$2,191,000,000.  
(B) Outlays, \$927,000,000.  
(5) Natural Resources and Environment (300):  
Fiscal year 2001:  
(A) New budget authority, \$28,833,000,000.  
(B) Outlays, \$26,361,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$26,700,000,000.  
(B) Outlays, \$26,400,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$26,840,000,000.  
(B) Outlays, \$26,930,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$27,719,000,000.  
(B) Outlays, \$27,463,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$27,942,000,000.  
(B) Outlays, \$27,668,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$27,958,000,000.  
(B) Outlays, \$27,818,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$28,624,000,000.  
(B) Outlays, \$28,285,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$29,349,000,000.  
(B) Outlays, \$28,781,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$30,620,000,000.  
(B) Outlays, \$29,888,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$31,173,000,000.  
(B) Outlays, \$30,525,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$32,417,000,000.  
(B) Outlays, \$31,508,000,000.  
(6) Agriculture (350):  
Fiscal year 2001:  
(A) New budget authority, \$26,290,000,000.  
(B) Outlays, \$23,654,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$19,144,000,000.  
(B) Outlays, \$17,500,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$18,610,000,000.  
(B) Outlays, \$16,981,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$18,482,000,000.  
(B) Outlays, \$17,072,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$18,337,000,000.  
(B) Outlays, \$16,852,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$17,888,000,000.  
(B) Outlays, \$16,288,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$16,520,000,000.  
(B) Outlays, \$14,946,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$15,648,000,000.  
(B) Outlays, \$14,062,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$15,836,000,000.  
(B) Outlays, \$14,359,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$15,894,000,000.  
(B) Outlays, \$14,533,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$16,123,000,000.  
(B) Outlays, \$14,725,000,000.  
(7) Commerce and Housing Credit (370):  
Fiscal year 2001:  
(A) New budget authority, \$2,516,000,000.  
(B) Outlays, \$—771,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$7,390,000,000.  
(B) Outlays, \$4,170,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$8,548,000,000.  
(B) Outlays, \$3,070,000,000.  
Fiscal year 2004:

(A) New budget authority, \$12,819,000,000.  
(B) Outlays, \$8,468,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$12,730,000,000.  
(B) Outlays, \$9,330,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$12,659,000,000.  
(B) Outlays, \$8,364,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$13,528,000,000.  
(B) Outlays, \$9,218,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$13,848,000,000.  
(B) Outlays, \$9,305,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$14,262,000,000.  
(B) Outlays, \$9,604,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$18,723,000,000.  
(B) Outlays, \$12,833,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$13,517,000,000.  
(B) Outlays, \$9,805,000,000.  
(8) Transportation (400):  
Fiscal year 2001:  
(A) New budget authority, \$62,130,000,000.  
(B) Outlays, \$51,681,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$61,906,000,000.  
(B) Outlays, \$55,832,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$64,751,000,000.  
(B) Outlays, \$58,952,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$66,248,000,000.  
(B) Outlays, \$60,797,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$67,741,000,000.  
(B) Outlays, \$62,549,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$69,347,000,000.  
(B) Outlays, \$64,303,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$70,953,000,000.  
(B) Outlays, \$65,535,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$72,578,000,000.  
(B) Outlays, \$67,008,000,000.  
Fiscal year 2009:  
(A) New budget authority, \$74,248,000,000.  
(B) Outlays, \$68,664,000,000.  
Fiscal year 2010:  
(A) New budget authority, \$75,759,000,000.  
(B) Outlays, \$69,976,000,000.  
Fiscal year 2011:  
(A) New budget authority, \$77,835,000,000.  
(B) Outlays, \$71,900,000,000.  
(9) Community and Regional Development (450):  
Fiscal year 2001:  
(A) New budget authority, \$11,225,000,000.  
(B) Outlays, \$11,366,000,000.  
Fiscal year 2002:  
(A) New budget authority, \$10,120,000,000.  
(B) Outlays, \$11,422,000,000.  
Fiscal year 2003:  
(A) New budget authority, \$10,318,000,000.  
(B) Outlays, \$10,908,000,000.  
Fiscal year 2004:  
(A) New budget authority, \$10,567,000,000.  
(B) Outlays, \$10,510,000,000.  
Fiscal year 2005:  
(A) New budget authority, \$10,920,000,000.  
(B) Outlays, \$10,158,000,000.  
Fiscal year 2006:  
(A) New budget authority, \$11,243,000,000.  
(B) Outlays, \$10,019,000,000.  
Fiscal year 2007:  
(A) New budget authority, \$11,545,000,000.  
(B) Outlays, \$10,215,000,000.  
Fiscal year 2008:  
(A) New budget authority, \$11,844,000,000.  
(B) Outlays, \$10,507,000,000.  
Fiscal year 2009:

(A) New budget authority, \$12,146,000,000.  
 (B) Outlays, \$10,783,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$12,338,000,000.  
 (B) Outlays, \$11,048,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$12,844,000,000.  
 (B) Outlays, \$11,345,000,000.  
 (10) Education, Training, Employment, and Social Services (500):  
 Fiscal year 2001:  
 (A) New budget authority, \$76,886,000,000.  
 (B) Outlays, \$69,790,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$100,578,000,000.  
 (B) Outlays, \$76,220,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$82,013,000,000.  
 (B) Outlays, \$81,671,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$83,888,000,000.  
 (B) Outlays, \$82,281,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$87,345,000,000.  
 (B) Outlays, \$84,831,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$90,205,000,000.  
 (B) Outlays, \$87,685,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$92,846,000,000.  
 (B) Outlays, \$90,364,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$95,701,000,000.  
 (B) Outlays, \$92,962,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$98,444,000,000.  
 (B) Outlays, \$95,910,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$100,510,000,000.  
 (B) Outlays, \$98,366,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$104,626,000,000.  
 (B) Outlays, \$101,360,000,000.  
 (11) Health (550)  
 Fiscal year 2001:  
 (A) New budget authority, \$182,604,000,000.  
 (B) Outlays, \$175,512,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$202,926,000,000.  
 (B) Outlays, \$200,124,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$228,286,000,000.  
 (B) Outlays, \$224,506,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$244,979,000,000.  
 (B) Outlays, \$243,184,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$252,029,000,000.  
 (B) Outlays, \$249,761,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$264,794,000,000.  
 (B) Outlays, \$262,644,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$284,828,000,000.  
 (B) Outlays, \$282,117,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$305,375,000,000.  
 (B) Outlays, \$302,927,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$327,271,000,000.  
 (B) Outlays, \$325,159,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$351,614,000,000.  
 (B) Outlays, \$349,971,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$379,618,000,000.  
 (B) Outlays, \$377,484,000,000.  
 (12) Medicare (570):  
 Fiscal year 2001:  
 (A) New budget authority, \$217,531,000,000.  
 (B) Outlays, \$217,708,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$229,128,000,000.  
 (B) Outlays, \$229,075,000,000.

Fiscal year 2003:  
 (A) New budget authority, \$243,946,000,000.  
 (B) Outlays, \$243,718,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$260,240,000,000.  
 (B) Outlays, \$260,446,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$291,770,000,000.  
 (B) Outlays, \$291,696,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$309,921,000,000.  
 (B) Outlays, \$309,660,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$336,143,000,000.  
 (B) Outlays, \$336,366,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$362,842,000,000.  
 (B) Outlays, \$362,744,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$391,122,000,000.  
 (B) Outlays, \$390,848,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$423,445,000,000.  
 (B) Outlays, \$423,698,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$459,396,000,000.  
 (B) Outlays, \$459,390,000,000.  
 (13) Income Security (600):  
 Fiscal year 2001:  
 (A) New budget authority, \$255,942,000,000.  
 (B) Outlays, \$256,932,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$275,012,000,000.  
 (B) Outlays, \$271,393,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$281,124,000,000.  
 (B) Outlays, \$281,635,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$292,431,000,000.  
 (B) Outlays, \$291,561,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$307,066,000,000.  
 (B) Outlays, \$305,673,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$314,915,000,000.  
 (B) Outlays, \$313,382,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$322,128,000,000.  
 (B) Outlays, \$320,595,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$336,555,000,000.  
 (B) Outlays, \$335,173,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$348,003,000,000.  
 (B) Outlays, \$346,318,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$358,590,000,000.  
 (B) Outlays, \$356,917,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$370,342,000,000.  
 (B) Outlays, \$368,124,000,000.  
 (14) Social Security (650):  
 Fiscal year 2001:  
 (A) New budget authority, \$9,805,000,000.  
 (B) Outlays, \$9,805,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$10,865,000,000.  
 (B) Outlays, \$10,864,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$11,315,000,000.  
 (B) Outlays, \$11,315,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$11,852,000,000.  
 (B) Outlays, \$11,852,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$12,387,000,000.  
 (B) Outlays, \$12,387,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$13,038,000,000.  
 (B) Outlays, \$13,038,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$13,739,000,000.  
 (B) Outlays, \$13,739,000,000.  
 Fiscal year 2008:

(A) New budget authority, \$14,750,000,000.  
 (B) Outlays, \$14,750,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$15,927,000,000.  
 (B) Outlays, \$15,927,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$17,289,000,000.  
 (B) Outlays, \$17,289,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$18,799,000,000.  
 (B) Outlays, \$18,799,000,000.  
 (15) Veterans Benefits and Services (700):  
 Fiscal year 2001:  
 (A) New budget authority, \$46,675,000,000.  
 (B) Outlays, \$45,926,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$51,104,000,000.  
 (B) Outlays, \$50,547,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$52,370,000,000.  
 (B) Outlays, \$52,082,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$54,306,000,000.  
 (B) Outlays, \$53,938,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$58,289,000,000.  
 (B) Outlays, \$57,858,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$57,677,000,000.  
 (B) Outlays, \$57,211,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$56,919,000,000.  
 (B) Outlays, \$56,462,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$60,700,000,000.  
 (B) Outlays, \$60,302,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$62,049,000,000.  
 (B) Outlays, \$61,678,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$63,357,000,000.  
 (B) Outlays, \$63,018,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$65,648,000,000.  
 (B) Outlays, \$65,213,000,000.  
 (16) Administration of Justice (750):  
 Fiscal year 2001:  
 (A) New budget authority, \$30,577,000,000.  
 (B) Outlays, \$30,003,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$30,870,000,000.  
 (B) Outlays, \$30,328,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$31,899,000,000.  
 (B) Outlays, \$32,116,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$33,592,000,000.  
 (B) Outlays, \$34,056,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$34,629,000,000.  
 (B) Outlays, \$34,688,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$35,651,000,000.  
 (B) Outlays, \$35,279,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$36,609,000,000.  
 (B) Outlays, \$36,119,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$37,563,000,000.  
 (B) Outlays, \$37,116,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$38,539,000,000.  
 (B) Outlays, \$38,090,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$39,189,000,000.  
 (B) Outlays, \$38,842,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$40,767,000,000.  
 (B) Outlays, \$40,204,000,000.  
 (17) General Government (800):  
 Fiscal year 2001:  
 (A) New budget authority, \$16,307,000,000.  
 (B) Outlays, \$16,065,000,000.  
 Fiscal year 2002:

(A) New budget authority, \$16,671,000,000.  
 (B) Outlays, \$16,326,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$16,313,000,000.  
 (B) Outlays, \$16,263,000,000.  
 Fiscal Year 2004:  
 (A) New budget authority, \$16,680,000,000.  
 (B) Outlays, \$16,627,000,000.  
 Fiscal Year 2005:  
 (A) New budget authority, \$17,035,000,000.  
 (B) Outlays, \$16,726,000,000.  
 Fiscal Year 2006:  
 (A) New budget authority, \$17,492,000,000.  
 (B) Outlays, \$17,100,000,000.  
 Fiscal Year 2007:  
 (A) New budget authority, \$17,921,000,000.  
 (B) Outlays, \$17,504,000,000.  
 Fiscal Year 2008:  
 (A) New budget authority, \$17,981,000,000.  
 (B) Outlays, \$17,691,000,000.  
 Fiscal Year 2009:  
 (A) New budget authority, \$18,426,000,000.  
 (B) Outlays, \$17,995,000,000.  
 Fiscal Year 2010:  
 (A) New budget authority, \$18,706,000,000.  
 (B) Outlays, \$18,285,000,000.  
 Fiscal Year 2011:  
 (A) New budget authority, \$19,430,000,000.  
 (B) Outlays, \$18,911,000,000.  
 (18) Net Interest (900):  
 Fiscal Year 2001:  
 (A) New budget authority, \$274,802,000,000.  
 (B) Outlays, \$274,802,000,000.  
 Fiscal Year 2002:  
 (A) New budget authority, \$256,490,000,000.  
 (B) Outlays, \$256,490,000,000.  
 Fiscal Year 2003:  
 (A) New budget authority, \$248,016,000,000.  
 (B) Outlays, \$248,016,000,000.  
 Fiscal Year 2004:  
 (A) New budget authority, \$242,024,000,000.  
 (B) Outlays, \$242,024,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$234,747,000,000.  
 (B) Outlays, \$234,747,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$230,531,000,000.  
 (B) Outlays, \$230,531,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, \$227,346,000,000.  
 (B) Outlays, \$227,346,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$223,538,000,000.  
 (B) Outlays, \$223,538,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$219,053,000,000.  
 (B) Outlays, \$219,053,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$213,625,000,000.  
 (B) Outlays, \$213,625,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$207,978,000,000.  
 (B) Outlays, \$207,978,000,000.  
 (19) Allowances (920):  
 Fiscal year 2001:  
 (A) New budget authority, \$59,528,000,000.  
 (B) Outlays, \$59,697,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, \$105,987,000,000.  
 (B) Outlays, \$108,759,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, \$5,731,000,000.  
 (B) Outlays, \$4,292,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, \$6,267,000,000.  
 (B) Outlays, \$5,047,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, \$6,440,000,000.  
 (B) Outlays, \$5,954,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, \$6,616,000,000.  
 (B) Outlays, \$6,323,000,000.  
 Fiscal year 2007:

(A) New budget authority, \$6,833,000,000.  
 (B) Outlays, \$6,517,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, \$6,970,000,000.  
 (B) Outlays, \$6,695,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, \$7,236,000,000.  
 (B) Outlays, \$6,876,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, \$7,401,000,000.  
 (B) Outlays, \$7,023,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, \$7,702,000,000.  
 (B) Outlays, \$7,236,000,000.  
 (20) Undistributed Offsetting Receipts (950):  
 Fiscal year 2001:  
 (A) New budget authority, —\$38,265,000,000.  
 (B) Outlays, —\$38,265,000,000.  
 Fiscal year 2002:  
 (A) New budget authority, —\$38,803,000,000.  
 (B) Outlays, —\$38,803,000,000.  
 Fiscal year 2003:  
 (A) New budget authority, —\$49,708,000,000.  
 (B) Outlays, —\$49,708,000,000.  
 Fiscal year 2004:  
 (A) New budget authority, —\$56,515,000,000.  
 (B) Outlays, —\$56,515,000,000.  
 Fiscal year 2005:  
 (A) New budget authority, —\$46,663,000,000.  
 (B) Outlays, —\$46,663,000,000.  
 Fiscal year 2006:  
 (A) New budget authority, —\$50,661,000,000.  
 (B) Outlays, —\$50,661,000,000.  
 Fiscal year 2007:  
 (A) New budget authority, —\$48,369,000,000.  
 (B) Outlays, —\$48,369,000,000.  
 Fiscal year 2008:  
 (A) New budget authority, —\$49,321,000,000.  
 (B) Outlays, —\$49,321,000,000.  
 Fiscal year 2009:  
 (A) New budget authority, —\$50,363,000,000.  
 (B) Outlays, —\$50,363,000,000.  
 Fiscal year 2010:  
 (A) New budget authority, —\$51,918,000,000.  
 (B) Outlays, —\$51,918,000,000.  
 Fiscal year 2011:  
 (A) New budget authority, —\$53,397,000,000.  
 (B) Outlays, —\$53,397,000,000.

#### TITLE II—BUDGET ENFORCEMENT AND RULEMAKING

##### SEC. 201. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the Senate and except as provided in subsection (b), an advance appropriations shall be scored as new budget authority in the fiscal year in which the advance appropriation is enacted and not the fiscal year in which funds become available for obligation.

(b) EXCEPTIONS.—An advance appropriation that, together with funding in the current year, provides full funding of a capital project shall be scored as new budget authority in the year in which the funds become available for obligation.

##### SEC. 202. MECHANISM FOR IMPLEMENTING INCREASE OF FISCAL YEAR 2002 DISCRETIONARY SPENDING LIMITS.

(a) FINDINGS.—The Senate find the following:

(1) Unless and until the discretionary spending limit for fiscal year 2002 (as set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is increased, aggregate appropriations which exceed the currently law limits would still be out of order in the Senate and subject to a supermajority vote.

(2) Except for a necessary adjustment included in function 920 (to comply with section 312(b) of the Congressional Budget Act of 1974), the functional totals contained in this concurrent resolution envision a level of

discretionary spending for fiscal year 2002 as follows:

(A) For the discretionary category: \$659,186,000,000 in new budget authority and \$648,620,000,000 in outlays.

(B) For the highway category: \$28,489,000,000 in outlays.

(C) For the mass transit category: \$5,275,000,000 in outlays.

(D) For the conservation category: \$1,510,000,000 in new budget authority and \$1,179,000,000 in outlays.

(3) To facilitate the Senate completing its legislative responsibilities for the 1st Session of the 107th Congress in a timely fashion, it is imperative that the Senate consider legislation which establishes appropriate discretionary spending limits for fiscal year 2002 through 2006 as soon as possible.

(b) ADJUSTMENT TO ALLOCATIONS AND OTHER BUDGETARY AGGREGATES AND LEVELS.—Whenever a bill or joint resolution becomes law that increases the discretionary spending limit for fiscal year 2002 set out in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chairman of the Committee on the Budget of the Senate shall increase the allocation called for in section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the appropriate Committee on Appropriations and shall also appropriately adjust all other budgetary aggregates and levels contained in this resolution.

(c) LIMITATION ON ADJUSTMENT.—An adjustment made pursuant to subsection (b) shall not result in an allocation under section 302(a) of the Congressional Budget Act of 1974 that exceeds the total budget authority and outlays set forth in subsection (a)(2).

##### SEC. 203. RESERVE FUND FOR PRESCRIPTION DRUGS AND MEDICARE REFORM IN THE SENATE.

If the Committee on Finance of the Senate reports a bill or joint resolution or a conference report thereon is submitted which improves the solvency of the medicare programs without the use of new subsidies from the general fund and which improves access to prescription drugs for medicare beneficiaries, the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed \$11,200,000,000 in new budget authority and outlays for fiscal year 2002 and \$153,000,000,000 in net budget authority and outlays for the period of fiscal years 2002 through 2011.

##### SEC. 204. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate; and

(2) the chairman may make any other necessary adjustments to such levels to carry out this resolution.

#### SEC. 205. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to the House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

**SA 171.** Mr. DOMENICI (for Mr. McCain) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform; as follows:

On page 3, before line 1, strike the item relating to section 504 and redesignate the item relating to section 505 as relating to section 504.

On page 4, line 5, insert "(A)" before "Except".

On page 4, line 19, insert "(B)" before "Nothing".

On page 4, beginning in line 19, strike "a principal" and insert "the authorized".

On page 5, line 7, strike "costs of" and insert "expenditures or disbursements for".

On page 5, line 9, strike "costs" and insert "expenditures or disbursements".

On page 5, line 17, strike "costs" and insert "expenditures or disbursements".

On page 6, line 1, strike "costs" and insert "expenditures or disbursements".

On page 6, line 18, insert opening quotation marks before "(1)".

On page 8, line 12, strike "another" and insert "A".

On page 9, beginning with line 23, strike through line 5 on page 10.

On page 10, line 6, strike "(v)" and insert "(iv)".

On page 10, between lines 6 and 7, insert the following:

"(B) ALTERNATE DEFINITION IF SUBPARAGRAPH (A)(III) HELD UNCONSTITUTIONAL.—If clause (iii) of subparagraph (A) is held to be unconstitutional in a final decision by a court of competent jurisdiction, then in lieu of the provisions of that clause, subparagraph (A) shall be applied as if it contained a clause (iii) that read 'a broadcast, cable, or satellite communication that—

'(I) promotes or supports a candidate or Federal office, or attacks or opposes a candidate for Federal office, without regard to whether the communication advocates a vote for or against a candidate; and

'(II) is suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate.'"

On page 10, line 13, strike "(B)" and insert "(C)".

On page 12, beginning in line 4, strike "within any 30-day period".

On page 12, line 6, strike "nature." and insert "nature within any 30-day period".

On page 13, line 11, strike "(d)" and insert "(e)".

On page 13, line 22, insert "(A)" after "323(b)(1)".

On page 13, line 24, strike "301(20)(A)." and insert "301(20)(A), other than activities described in section 323(b)(1)(B)."

On page 14, line 11, strike "(a)." and insert "(a)(4)(B)."

On page 14, line 17, strike "(xiv)" and insert "(xv)".

On page 14, line 18, strike "(xiii)" and insert "(xiv)".

On page 15, line 8, strike "434" and insert "434, as amended by section 103."

On page 15, line 10, strike "(d)" and insert "(f)".

On page 16, line 24, strike "section" and insert "subparagraph".

On page 18, line 4, strike "subclause" and insert "clause".

On page 18, line 16, strike "Further, nothing" and insert "Nothing".

On page 20, line 13, strike "304(d)(3);" and insert "304(f)(3);".

On page 20, strike lines 22 and 23 and insert: "by the electioneering communication or that candidate's party and as an expenditure by that candidate or that candidate's party; and".

On page 21, line 17, strike "304(d)(3))" and insert "304(f)(3))".

On page 22, line 1, strike "304(d)(2)" and insert "304(f)(2)".

On page 22, line 3, strike "individuals." and insert "individuals who are United States citizens or lawfully admitted for permanent residence as defined in section 1101(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(2))."

On page 23, line 3, strike "304(d)(2)(E)." and insert "304(f)(2)(E)."

On page 23, line 12, strike "304(d)(2)(E)." and insert "304(f)(2)(E)."

On page 24, line 8, strike "from carrying" and "to carry".

On page 24, line 25, strike "304(d)(3))" and insert "304(f)(3))".

On page 26, line 9, strike "(e)" and insert "(g)".

On page 26, beginning in line 18, strike "hours after that amount of independent expenditures has been made." and insert "hours."

On page 27, beginning in line 10, strike "hours after that amount of independent expenditures has been made." and insert "hours."

On page 30, line 23, strike "a Federal" and insert "an".

On page 32, line 7, strike "legislation," and insert "Act."

On page 33, line 7, strike "regulation." and insert "Act."

On page 33, line 23, strike "amount" and insert "donation".

On page 34, line 3, after "for" insert "otherwise authorized".

On page 34, line 15, strike "amount" and insert "donation".

On page 34, line 19, strike "amount" and insert "donation".

On page 36, line 7, after "solicit" insert "or received".

On page 37, line 4, after "a" insert "contribution or".

On page 37, line 6, after "a" insert "contribution or".

On page 39, strike lines 18 through 20, and insert the following:

"(I) the increased limit shall be 6 times the applicable limit; and

"(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution; and

On page 41, beginning in line 5, strike "contribution" and insert "contribution, and a party committee shall not make an expenditure."

On page 41, line 14, after "accepted" insert "and party expenditures previously made".

On page 41, line 19, after "candidate" insert "and a candidate's authorized committee".

On page 41, line 20, after "contribution" insert "and a party shall not make an expenditure".

On page 42, lines 14 through 25, redesignate subparagraph (C) as subsection (j) and adjust margins accordingly.

On page 42, lines 15 and 16, strike "With respect to loans incurred after the date of enactment of this Act any" and insert "Any".

On page 44, line 15, strike "(iii)" and insert "(iii)".

On page 48, line 3, after "or" insert "by".

On page 48, line 4, strike "by" and insert "to".

On page 48, line 21, strike "(f) and (g)," and insert "(e) and (f)."

On page 51, line 23, insert "or (2)" after "(1)(A)".

On page 52, line 14, insert "or (2)" after "(1)(A)".

On page 55, line 17, strike "to be filed".

On page 57, line 18, insert a comma after "(h)".

On page 60, line 11, strike the closing quotation marks and the second period.

On page 60, between lines 11 and 12, insert the following:

"(iii) COORDINATION WITH OTHER PROVISIONS.—Clauses (i) and (ii) shall not apply if section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) does not apply with respect to an expenditure by a State or national committee of a political party by reason of section 315(i)(1)(C)(iii)(III) of that Act.

On page 61, strike lines 1 through 5.

On page 62, line 15, strike "and 201" and insert ", 201, and 212".

On page 62, line 17, strike "(g)" and insert "(h)".

On page 62, line 18, strike "Committee" and insert "Commission".

On page 65, line 11, strike "(a) IN GENERAL.—"

On page 66, line 4, strike "304(d)(3)" and insert "304(f)(3)".

On page 68, strike lines 9 through 14.

On page 70, line 25, insert "Federal" before "Government".

On page 73, line 1, strike "(1) IN GENERAL.—", run the matter beginning with "Section" back to follow "PENALTY.—" on page 72, line 24, and reset lines 1 through 3 on page 73 flush with the lefthand margin.

On page 73, strike lines 4 through 13, and insert the following:

"(D) Any person who knowingly and willfully commits a violation of section 320 involving an amount aggregating more than \$10,000 during a calendar year shall be—

"(i) imprisoned for not more than 2 years if the amount is less than \$25,000 (and subject to imprisonment under subparagraph (A) if the amount is \$25,000 or more); or

"(ii) fined not less than 300 percent of the amount involved in the violation and not more than the greater of—

"(I) \$50,000; or

"(II) 1,000 percent of the amount involved in the violation; or

"(iii) both imprisoned under clause (i) and fined under clause (ii)."

On page 73, strike lines 14 through 17.

On page 76, line 2, strike "This" and insert "Except as otherwise provided in this Act, this".

On page 80, beginning with line 13, strike through line 11 on page 81.

On page 81, line 12, strike "SEC. 505." and insert "SEC. 504."

#### PRIVILEGE OF THE FLOOR

Mr. DOMENICI. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Richard Greenough, a detailee from the Department of Justice working with the staff of the Budget Committee during consideration of this resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that Jenny Winkler and Cheri Reidy be granted the privilege of the floor, as well as Jim Horney and Sue Nelson from the other side.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR TUESDAY, APRIL 3, 2001

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Tuesday, April 3. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of House Concurrent Resolution 83, the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. DOMENICI. For the information of all Senators, the Senate will resume the budget resolution tomorrow morning. Amendments will be offered during tomorrow's session. Therefore, votes are expected throughout the day and into the evening. Senators are reminded of the time constraints on debate under the Budget Act and encouraged to work with the managers if they intend to offer amendments.

#### ORDER OF PROCEDURE

Mr. DOMENICI. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

Mr. CONRAD. Mr. President, reserving the right to object, I would like to speak for 2½ minutes.

Mr. DOMENICI. Will the time be charged against the resolution, 2½ minutes?

The PRESIDING OFFICER. We are in morning business. The time will be charged against the 10-minute limit.

#### THE BUDGET

Mr. CONRAD. Mr. President, maybe we can have an exchange here so that we really understand the proposals on the two sides. The Senator asked the question, When we reserve \$750, \$800 billion to strengthen Social Security, where is that money going to go? The situation we face as a Nation is right here.

This is from the General Accounting Office. This is the long-term budget outlook for the United States. It shows that while we are enjoying surpluses now, even if we save all the Social Security trust fund money, the deficits for the country are going to mushroom when the baby boomers start to retire.

We have a very strange accounting system in the Federal Government. We don't account for our long-term liabilities that are growing. In fact, there is a lot of talk about the publicly held debt, and the Senator said the President is paying down the publicly held debt. What he hasn't talked about is the gross Federal debt. The gross Federal debt, during this period, is actually going to grow from \$5.6 trillion today to nearly \$7 trillion at the end of this period.

What I am saying is, we should do two things: We should make a maximum effort on paying down our publicly held debt, pay down more of it than the President proposes, but we also ought to reserve money to deal with this long-term problem that is confronting us, which we all know is there. There have been a series of proposals as to how to do that. One is to establish individual accounts. Senators on the other side, by and large, support that approach. They support privatization, which I don't support, but they say that would be a way to go.

I just say to my colleague, if you are going to do that, you have to get the money from somewhere. If you are going to do other things to strengthen Social Security and address this long-term debt problem, you have to get the money from somewhere. Every proposal to reform Social Security that has been proposed—the Archer-Shaw proposal, former chairman of the Ways and Means Committee in the House; Senator GRAMM's proposal; the Aaron-Reischauer proposal, Kolbe-Stenholm proposal, the leaders in the House of Representatives; the Gregg-Breaux proposal, one of the key alternatives in the Senate; and the Clinton-Gore proposal of the last administration—every one of them requires money.

Our budget plan sets aside \$750 billion for that purpose. Their plan sets

aside nothing. That is a fundamental difference. That is not some plan that is out there in the ether. That is a plan that is necessary if we are going to begin to cope with our long-term debt bomb that is facing this country as a result of the baby boom generation.

We can either say the problem doesn't exist and not do anything about it, which is what their budget plan proposes, or we can reserve resources now to begin to cope with our long-term imbalances that everyone knows is right beyond this 10-year period. I am saying let's reserve money now to deal with this long-term debt crisis; in addition to aggressively paying down our publicly held debt, doing it more aggressively than they propose, I am also proposing dealing with our long-term debt, something for which they have not reserved a dime.

That is the reason for that part of the plan, and we will be happy to discuss this more tomorrow and say we look forward to additional debate in the morning.

Mr. DOMENICI. Mr. President, I have just been informed the pages would like us to spend a few more minutes. Somebody is blushing, but that is the truth. Something very nice happens to them in 5 minutes that won't happen to them if we close up now.

Mr. CONRAD. Let's not give up then.

Mr. DOMENICI. I want to speak for 2½ minutes of it and the Senator from North Dakota can speak for 2½ minutes of it, or we can have a quorum call. People have heard enough of us.

First, those listening, stay tuned tomorrow and we will tell you how President Clinton figured out that he could say he was saving Social Security but then had a long time to pay for it. Just think. You remember, he had a 15-year budget once. Tomorrow, we will tell you what he was up to when he did that. It is most interesting. He can spend more and still claim Social Security is being taken care of because he did it in 15-year intervals instead of 10.

That is all I am going to say. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate stand in adjournment.

There being no objection, the Senate, at 9 p.m., adjourned until Tuesday, April 3, 2001, at 9 a.m.